

GUIDELINE F-9
(formerly 08-05)

The Use of Holding Tanks in Sewage Systems
Under Part VIII of the *Environmental Protection Act*

Legislative Authority:

Environmental Protection Act, RSO 1990, Part VIII
Ontario Regulation 358

Responsible Director:

Director, Approvals Branch

Last Revision Date:

April, 1994

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SYNOPSIS

The primary purpose of this guideline is to protect human health and the environment by restricting the use of holding tanks in sewage systems. Systems which use holding tanks are expensive to operate and do not constitute a sufficiently reliable system for dealing with raw sewage on an ongoing basis. The use of holding tanks may be allowed in certain circumstances, provided that the municipality involved is willing to accept the responsibility for the disposal of the holding tank contents.

The guideline applies to proponents who require a Certificate of Approval and a Use Permit for sewage systems under Sections 76 and 78 of the *Environmental Protection Act*, and to the Director appointed under Section 5 of the *Environmental Protection Act*.

Reference should also be made to Procedure F-9-1: "Manual for Onsite Sewage Systems".

1.0 Definitions

Part VIII System:

A sewage system as defined in the *EP Act, RSO 1990*, Part VIII, Section 74

Class 4 Sewage System:

A septic tank system

Class 5 Sewage System:

A sewage system which requires or uses a holding tank for the storage or retention of hauled sewage at the site where it is produced prior to its collection by a Class 7 sewage system

Class 6 Sewage System:

A sewage system in which sewage is treated in a proprietary aerobic sewage treatment plant

Class 7 Sewage System:

A hauled sewage system

Director:

A person appointed as Director, for Part VIII, *EP Act*, either from Ministry staff, or officials of Health Units

2.0 Class 5 Sewage Systems Not Permitted

Directors shall not approve applications for Class 5 sewage systems where the intended use is:

- (a) for any new commercial, industrial, institutional, or residential installation;
- (b) to permit the expansion of existing buildings or structures already served by a Class 5 sewage system;
- (c) to permit a change in the use of existing buildings or structures where the change results in the existing Class 4 or Class 6 sewage system being rendered inadequate; or
- (d) for the development of undeveloped lots within a plan of subdivision registered before April 16, 1974, where the individual lots are of insufficient size to permit the installation of a Class 4 or Class 6 system.

3.0 Exceptions

Notwithstanding Section 2.0, Directors may permit the use of Class 5 sewage systems where a written agreement has been established with a hauler in the following circumstances:

- (a) the proposed land use is for a temporary operation (excluding seasonal recreational use) not exceeding 12 months in duration;
- (b) as an interim measure for a parcel of land until municipal sewers are available, and where the municipality undertakes to ensure the continued operation of an approved Class 7 sewage system until municipal sewers are available;
- (c) where the lot is in a registered plan of subdivision but the lot is of insufficient size to permit the construction of a Class 4 or Class 6 sewage system and the municipality undertakes to ensure the continued operation of an approved Class 7 sewage system;
- (d) to permit the expansion of an existing single-family residence which will continue as such and is already served by a Class 5 system;
- (e) to solve an existing pollution problem where the correction of the problem by the installation of a Class 4 or Class 6 sewage system is not possible due to lot size or dimension limitations;
- (f) to upgrade the standard of a sub-standard sewage disposal system on an existing lot, where upgrading through the use of a Class 4 or Class 6 sewage system is not possible due to lot size or dimension limitations.

3.1 Financial Assurance

Where exceptions are granted under 3(a) and 3(b), approval shall be conditional on financial assurance being provided by proponents in accordance with Procedure F-15-1: "Procedures for Financial Assurance."

Financial assurance, when imposed under the previous paragraph or otherwise, will be requested for the costs of such matters as pump-outs and the decommissioning of systems employing holding tanks and providing connections to future sanitary sewers.

NOTE: Sewage systems regulated by O. Reg 358, including Class 5 sewage systems, are for the treatment and disposal of normal domestic sewage and other equivalent waste as determined by the Director. In the case where holding tanks are being considered for new commercial, industrial, institutional or residential installations (i.e., Section 2(a)) to solve an existing pollution problem where the correction of the problem by the installation of a Class 4 or Class 6 sewage system is not possible because there is no suitable area for such a system on the lot (i.e., Section 3(e)); the plumbing shall be segregated unless the Director has determined that the sewage/waste is suitable for treatment and disposal in a Part VIII system. The storage and removal of such segregated waste shall be regulated under Part V of the *EP Act*.

Conditions other than requirements of Financial Assurances may also be applied to the approval referred to in Section 3.1.